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HOW AMERICAN CITIZENS GOVERN THEMSELVES

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Published for the
EDUCATIONAL BUREAU
NATIONAL WAR WORK COUNCIL OF
YOUNG MEN'S CHRISTIAN ASSOCIATIONS,
by
ASSOCIATION PRESS,
347 Madison Avenue, New York
1919

Trans from
Coral Division
Sept. 14, 1942

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THE SPIRIT OF AMERICAN GOVERNMENT

For more than two hundred years a great political ideal has been taking form and spreading throughout the earth: governments must derive their powers from the consent of the governed. In renouncing allegiance to the British King on July 4, 1776, the founders of the American nation wrote their enduring article of faith in the Declaration of Independence:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.”

THE RIGHT AND DUTY OF CITIZENS TO TAKE PART IN THE GOVERNMENT

In carrying the spirit of the Declaration of Independence into practice, the American people have applied the following principles:

All political power is derived from the people.

All public officers who make laws or carry them into execution must be chosen directly or indirectly by the people.

The people have the right to alter the forms of government and to determine the nature and kinds of work undertaken by it.

In using the term "people," however, we must remember that strictly speaking all "the people" do not share equally in the choice of the officers who compose the government. Indeed the phrase "government by the people" was used originally by way of contrast with "government by an hereditary monarch and hereditary nobility." In the beginning of our history the proportion of people who were permitted to share in the government through the right to vote was much smaller than it is now. In most of the thirteen states which composed the Union after the winning of American independence, the right to vote was limited to those who owned property of a certain value or paid taxes of a certain amount. Moreover, women (except in New Jersey for a short time) could not vote; neither could aliens. Of course, people below the specified age limit, twenty-one years, were likewise excluded from a direct share in the government.

Since the early years of the republic, the right to vote has been steadily extended to an ever larger proportion of the people. Before 1850 the old practice of excluding non-taxpayers and those without a certain amount of property was abandoned. After the Civil War it was provided by national law that no one should be deprived of the right to vote on account of race, color, or previous condition of servitude—in other words, that the right to vote should not be denied to the negroes just released from slavery. Many years later, some states, notably Colorado, Wyoming, Utah, and Idaho, extended the suffrage to women, and many of the larger states did so a little later. In the following 15 states women now have the vote on the same terms as men: Washington, Oregon, California, Nevada, Montana, Idaho, Utah, Arizona, Wyoming, Colorado, Kansas, Michigan, Oklahoma, South Dakota, New York. They have a lim-

ited school, tax, or bond suffrage in North Dakota, Nebraska, Minnesota, Iowa, and a few other states. They have presidential suffrage in the state of Illinois. In the autumn of 1918 President Wilson went before Congress and asked for an amendment to the federal constitution giving women the vote everywhere in the American Union.

As things stand now, the right to vote varies from state to state. In some states all adult citizens, that is, all men and women over twenty-one years of age share in the government through the right to elect officers and to hold office if elected. In other states, all adult male citizens can vote and hold office. In other states, voters must have certain educational qualifications such as that of being able to read, in the English language, a passage from the laws or constitution of the state. In a few states aliens who have declared their intention of becoming American citizens are allowed to vote but in most states that right is confined entirely to citizens.

The right to hold office usually goes with the right to vote, and as a general principle all those who can vote may also hold any public office within the gift of the people. In the early days of our history it was quite common to impose higher property qualifications on public officers than on voters, but such discriminations are now swept away. The only discrimination now remaining is that of age. The federal constitution, for example, provides that representatives must be twenty-five years of age, senators, thirty, and the president, thirty-five. State constitutions frequently require that certain officers must be older than twenty-one, the limit fixed for voters.

THE FORM OF AMERICAN GOVERNMENT

In the United States the powers of government are divided between the states which compose the Union and the federal government which has its seat at Washington. In other words, the American form of government is *federal*. The United States, as the name implies, is a Union of forty-

eight states, each of which has its own separate government. Accordingly there is a government of the Union—that is, the government at Washington—and a government for each of the states. In addition, each state is divided into counties (Louisiana, parishes), towns, villages, cities, and other local divisions, each of which has a government of its own.

THE POWERS OF THE FEDERAL GOVERNMENT

The following great powers and duties are conferred upon the federal government:

Control over foreign relations, such as making treaties with other countries; regulating foreign commerce; sending ambassadors, consuls, and ministers to other nations; waging war, and making peace.

Taxation—laying and collecting taxes, duties, imposts, excises, etc.

Raising and supporting the Army and Navy.

Regulating interstate commerce.

Maintaining post offices.

Naturalizing aliens.

Governing territories and dependencies of the United States.

Doing all things necessary and proper to carry into effect the powers conferred upon the government.

FORM OF THE FEDERAL GOVERNMENT

The work of the federal government is entrusted to three great branches:

1. The executive department, composed of the president and vice-president, ten members of the cabinet (state, war, navy, treasury, post office, attorney-general, commerce, agriculture, interior, labor); members of boards and commissions, such as the interstate com-

merce commissions; ambassadors and consuls representing the United States abroad, and the great army of employees of the federal government. Of this branch of the government, the president and vice-president alone are elected (indirectly) by popular vote. The voters in each state choose a number of electors equal to the number of its senators and members of the house of representatives, and these electors in turn choose the president. Nowadays, the electors always vote for the nominees of their party, so that practically, the people vote directly for presidential candidates.

2. The legislative branch, composed of two senators from each state and one or more representatives (the number being determined by the population of the state) elected by popular vote.
3. The judicial department, composed of the supreme court of nine judges, nine circuit courts of appeal, and a large number of district courts. The judges of all federal courts are appointed by the president and the senate and hold office during good behavior.

POWERS OF STATE GOVERNMENTS

All powers not conferred upon the federal government or denied to the states by the federal constitution are reserved to the states. Chief among the powers enjoyed by the states are those of laying taxes, enacting the laws governing the ownership, sale, transfer, and inheritance of property, regulating industries, mines, factories, railways (within the state), defining acts which are to be punished as crimes, determining the form and work of city and county governments, maintaining institutions of public welfare, such as hospitals, asylums, schools, etc., encouraging agriculture, industry, and science, care and management of state forests, lands, and water power, and control of public

health and safety. Many American citizens do not sufficiently realize that most of the law-making which directly affects the every-day life of the people is in the hands of the state legislatures, and that the powers of these bodies are in some respects more important than those of Congress.

THE FORM OF THE STATE GOVERNMENT

The government of each state is modeled somewhat on that of the United States, and includes the following departments:

1. Executive, composed of the governor and usually several other officers elected by popular vote, and in addition a large number of administrative officers appointed in various ways—frequently by the governor with the consent of the senate.
2. The legislative branch, composed of the two houses, both elected by popular vote.
3. A judicial department, the judges of which are now commonly elected by popular vote.

Each state, except Louisiana, is divided into counties. For nearly every county there is an elective board and several elective officers who carry on the work of government. Frequently the county is divided into towns or townships in which officers also elected by the voters carry on the work of the local government.

When a large number of people come to live together in one community, it is the practice to set off that community by itself, call it a city, and give it a government of its own. City governments naturally vary greatly from one part of the country to another. In some cities the government is vested in a mayor and a council; in other cities, it is vested in a commission or board of five men. They are all alike, however, in this fundamental principle, namely, that the high authorities are elected by popular vote.

OFFICERS FOR WHOM THE VOTER MAY VOTE

As a result of the American plan of government every voter is entitled to vote for a large number of officers among whom the following should be mentioned:

1. President and vice-president of the United States (indirectly).
2. United States Senators.
3. Member of the House of Representatives of the United States.
4. Governor of the state (and usually other state officers, such as the treasurer, secretary of state, etc.)
5. Member (or in a few cases, members) of each house of the state legislature.
6. Judges of state and local courts (usually).
7. Mayor of the city and one or more members of the city council or commission and perhaps other city officials.
8. Certain county officers, such as the sheriff, recorder, treasurer, etc.
9. In country districts, town, township, and village officers.

THE VOTER WORKS THROUGH PARTIES

Where there are many heads there are usually many minds. In olden times a king of England had a law passed entitled "An act for abolishing diversity of opinion," but he could not enforce it. Where the people control the government there naturally arise differences of opinion as to the exact form of the government or as to the nature of the work which the government should do. Voters who think alike on public questions, like birds of a feather, tend to flock together. Thus political parties rise in democratic countries

like the United States. Parties change from time to time. Old parties disappear and new parties take their places; but parties are always with us, and citizens who desire to influence the work of the government usually seek to do so by working with a political party. It is the party that (1) nominates candidates for public offices, from which candidates the voter must choose on election day; (2) draws up platforms or statements of principles in which its members believe; (3) carries on campaigns to influence voters to vote for certain candidates; and (4) keeps up an organization of party workers beginning with the ward, election district, or precinct in which the voter lives and ending with the national committee which manages presidential election campaigns.

THE RIGHT OF CITIZENS TO TAKE PART IN LAW MAKING

In the beginning of our history the right to citizens to share in the government was limited (except in town meetings and on a few occasions) to (1) the choice of public officers, to represent them and act in their name and (2) the holding of public offices. Even the first state constitutions as a rule were not submitted to the voters for their approval. In fact, only three of the eighteenth-century state constitutions were laid before the voters for ratification or rejection. Slowly, however, the idea came to be accepted that voters, in a final analysis, had the right to pass upon their own fundamental laws. The New York constitution of 1821 was referred to the voters and it further provided that amendments should likewise be submitted to the voters after having received legislative approval. About fifty or sixty years ago, the doctrine was fairly fixed that state constitutions could be established only with the approval of the voters at the polls, and parts of the constitutions since 1850 have been approved by popular vote. It was not such a long step, therefore, from these and similar practices, to the adoption of a complete system for permitting the voters to

participate in the making of ordinary laws as well as constitutions, in other words, to the adoption of the initiative and referendum, whereby the voters may initiate any measure or require the referendum on any legislative act. The initiative is a device whereby any person or group of persons may draft a statute or constitutional amendment, and on securing the signatures of a small percentage of the voters may compel the state officials, with or without the intervention of the legislature, to submit the same to popular vote; and if the required popular approval is secured, the proposal becomes a law. The referendum is a plan whereby a small percentage of the voters may demand that any statute passed by the legislature (with the exception of certain laws) must be submitted to the electorate and approved by a stipulated majority before going into effect.

No less than seventeen states, including South Dakota, Oregon, Idaho, Massachusetts, Missouri, Montana, Utah, Maine, Oklahoma, Nevada, Arkansas, Colorado, California, Washington, Nebraska, Ohio, and Arizona, have established the initiative and referendum in one form or another. During the past few years the spread of the idea has not been so rapid as in the decade before 1912.

THE DUTIES OF CITIZENS

The obligations imposed upon citizens who enjoy the privileges of American democracy are twofold: legal and moral. The former are too various to be enumerated here. They range from the duty of rendering military service when called upon to that of driving upon the right side of the road. Such obligations are defined by the law and are enforced by public authorities. They, of course, vary from time to time as new laws are made or old laws are repealed.

The moral obligations are less easily defined, though many of them are quite clear in principle. First among these is the duty of voting when officers are to be elected or measures are submitted for a referendum. The right to vote,

as we have seen, is a legal right, and in some countries those who refuse to exercise it are punishable by law. In this country, however, the exercise of the privilege (except in Massachusetts) is only a moral obligation resting upon those who have the legal right, and they may refuse to vote without incurring any penalties. Those who do refuse are shirking a responsibility and, to that extent, failing to aid in making the government of the people the best possible government.

A second moral obligation, which is closely related to the first, is the duty of being informed about public questions that are ultimately to be decided by the casting of ballots. The citizen who fails to inform himself about the political issues before the people and who merely votes as he is told by some other person is likely to be as dangerous to good government, if not more dangerous, than the citizen who refuses to vote at all.

It is for this reason that education is such a vital element in the successful working of the democratic form of government. A man is not doing his duty as a citizen unless to the full extent of his ability he fits himself, and his children, for the intelligent exercise of the great power and responsibility which he shares as a voting citizen of this Republic.

In seeking to become informed, the voter will become broader in his views and more inclined to respect the opinions of those from whom he differs. He will learn, with the father of the American Constitution, James Madison, that mankind has a strong propensity "to fall into mutual animosities"; that "landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests grow up of necessity in civilized nations," and that "the regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of government." It is by seeking to comprehend the claims and interests of the various parties and factions that the voter obtains the breadth of view and

depth of understanding that fit him for wise decisions in matters of public policy.

This leads inevitably to the assumption of a third moral obligation, that of toleration and respect for the opinions of others. This is one of the most difficult but one of the most necessary virtues for the success of democratic government. Where freedom reigns, there will always be differences of opinion, and government by the people, which means government by public opinion, inevitably implies that differences of opinion shall be fairly heard, openly discussed, honestly adjusted. Anything short of this is incompatible with democracy and fatal to the progress of enlightened humanity. As President Wilson has so finely said: "The whole purpose of democracy is that we may hold counsel with one another, so as not to depend upon the understanding of one man, but to depend upon the counsel of all. For only as men are brought into counsel and state their own needs and interests, can the general interests of a great people be compounded into a policy that will be suitable to all." Without the toleration involved in common counsel there can be no genuine information: without information the obligations of citizenship cannot be faithfully fulfilled.

Equally important with the virtue of toleration and respect for the opinions of others is the capacity for acquiescing in the decisions of duly constituted majorities on issues and candidacies submitted to the voters at the polls. The American scheme of government provides for periodical elections at which the voters may change their representatives and the policies of the government. It also provides methods for amending charters and constitutions by orderly process. It has been one of the striking features of American politics that, except for the single election of 1860, the defeated parties have accepted the results of elections and set to work to retrieve their losses at coming elections. It is in this feature that American politics is especially distinguished from politics in some other countries where parties failing to win elections resort to arms.

Obviously there can be no orderly and progressive political life where the people do not have that self-control which enables them to abide by the rules of the game. One of the first requirements of what is called "democracy" is that the people who live under this form of government shall be "good losers." If a man's party or principles are defeated at an election, he may try again as often as he likes; but he must wait until the next inning, and must not start a "rough house" merely because his particular views do not, for the moment, prevail. "Government by the people" means, in practice, government by majorities—subject to such limitations upon hasty majority action as the Constitution imposes. Consequently, where minorities will not accept the decision of majorities with patience and good humor, and obey the laws voted by the majority, there can be no such thing as government by the people at all.

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